REMARKS

In the final office action mailed on April 20, 2007, claims 27 – 29, 31 – 40, 42 – 44, 46 and 47 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,141,530 (to Rabowsky) in view of U.S. Patent No. 6,698,020 (to Zigmond et al.). Claims 27, 38 and 43 were also objected to and rejected in view of certain language of the claims that is alleged to be unsupported by the specification. The objected to language has been removed.

The Rabowsky reference discloses a system for distributing movies in a digital format to a plurality of theatres. The Rabowsky reference also discloses that an automated scheduling system is used to distribute the movies, and that each movie may include a trailer. The trailer, however, appears to be compiled at the central location or "Headend" (Rabowsky, col.12, lines 9 - 16). As discussed previously, there is no disclosure in the Rabowsky reference regarding how the trailer is compiled at the Headend. The Rabowsky reference also states that a theatre operator may make modifications to the schedule (Rabowsky, col.12, lines 17 - 28). It is the automated selection and presentation of such a pre-show schedule to which the invention is directed. The Rabowsky reference does not disclose how such a trailer could be automatically generated.

With regard to claim 27 therefore, the Rabowsky reference does not disclose an automated scheduling system that selects a plurality of selected actual movie showings associated with a plurality of selected job requests to determine a schedule associated with each selected actual movie showing.

The Zigmond et al. reference discloses a system for selecting and displaying advertisements during pre-defined interruptions in a video programming feed at households. The Zigmond et al. reference specifically states that:

At the appropriate time indicated by the triggering event, the video programming feed is *interrupted* and the selected advertisement is *displayed* to the viewer using a display screen of the home entertainment system. In effect, the advertisement originally carried on the video programming feed is overwritten with the selected advertisement. Upon termination of the advertisement, the video programming feed is again displayed to the viewer.

Col.4, lines 45 – 52 (*emphasis added*).

The system of Zigmond et al., therefore, does not generate a schedule of advertisements, but rather selects and places an individual advertisement into a specific open time slot responsive to a triggering event. This is very different than a system of the invention that generates a *schedule* of advertisements. The Zigmond et al. reference clearly discloses that:

At an appropriate time specified by encoded data in video programming feed 52 or by the structure of video programming feed 52, the household advertisement insertion device 60 *interrupts* the display of the video programming feed 52. An advertisement 59 that has been selected according to any desired method is *then displayed* to the viewer using display device 58.

Col.7, lines 26 – 32 (*emphasis added*). The Zigmond et al. reference, in fact, discloses that the system switches between sources (using a switch 90 shown in Figure 5) for the designated time slot (col.15, lines 57 – 65).

Similar to the Rabowsky reference, the Zigmond et al. reference requires a pre-existing schedule into which small insertions may be made at designated places. Both references require a pre-existing schedule: in Rabowsky this is called a trailer, and in Zigmond et al. this is call a video programming feed. Neither reference discloses how the trailer or the video programming feed is *created*. No combination of the references, therefore, teaches the automated generation of a schedule based on selected content.
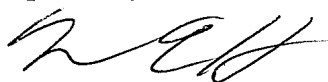
The present invention provides that a schedule of advertisements is developed by an automated selection means. In particular, claims 27 and 38 state that the system includes an automated selection means that seeks to fill a schedule of advertisements associated with each selected actual movie showing. Amended claim 43 states that the method includes the step of processing the common interest data and the data representative of advertising schedule requests using a computer processing system to seek to fill a schedule for each of the plurality of actual movie showings.

Applicant further submits that these features of the claims are not taught or suggested by any combination of the references. There is no disclosure in either of the Rabowsky reference or the Zigmond et al. reference of a system and method for seeking to fill a schedule of a plurality of advertisements.

Each of claims 28 – 29 and 31 – 37 depends directly or indirectly from claim 27 and further limits the subject matter thereof. Each of claims 39 – 40 and 42 depends directly or indirectly from claim 38 and further limits the subject matter thereof. Each of claims 44 and 46 – 47 depends directly or indirectly from claim 43 and further limits the subject matter thereof.

Applicant respectfully submits, therefore, that each of claims 27 - 29, 31 – 44, and 46 - 47 is in condition for allowance. Favorable action consistent with the above is respectfully requested.

Respectfully submitted,

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